G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1908.
(Mysore)

File No. 429

Serial Nos. 1 to 9

Papers Filed.

Month September 1909

SUBJECT.

Votta Addika Post of the Sri Narayanaswami temple at Melkote.

PREVIOUS REFERENCES.	LATER REFERENCES.
	Mwz. 631-09 - (1-11) . July 1911 393-42 - (1-9) April 1945

M. Venkatarangappa
Recorder

G.R.S.11] 1909.

GENERAL AND REVENUE SECRETARIAT

(Miscellaneous)

NOTES.

File No. 429-08

FILE HEADING.

Petition from Kumara Sivasamiengar of Melkote advancing his claim to Vottu Addika Post of the Sri Narayanaswamy Temple

From

Komara Sivasamiengar.

No.	Dated	Received
Diary No. 888	Enclos.	Spare Copies	Serial No. 1

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

H. Secretary's order:—

" Do. Dy. Commr to report with records

Dftn submitted.

17/3/09 17/3/09

NOTES—First sheet

GPB—30,000—3-4-07

2-12

Serial No.

(2) To, The Dy Commr, Mysore Dist
O. M. no. 1402 Dy 26.3.09
Forwards Sl.1 for report with records

(3) From, the Same Officer,
Letter no. 491 Dy 21.6.09
Submits the same.

Hag(Y) The Dy. Commr reports that one Komara Singlachar was the orgl. Baramadar of the Vottu Addika Post in the Sri Narayanaswamy temple at Melkote, that in 1876, it was transferred to the name of the Appellant Kumara Tirumaniengar (son of the original Baramadar), that it was thereupon made out at the request of the Appellant, in the name of Kope Tirumaniengar who in his turn conferred it on his son Narasimhachar.

The petition of Kumara Tirumara Iyengar praying for the Vattu Addika Post having been rejected by the local authorities, he has appealed to Govt.

It will be observed from the records that the matter was taken to Courts. A copy of the judgment of the Dist judge, Mysore, has been produced. It is stated that the

(Hag X)

NOTE—Contn. sheet.

GPB—50,000—18-5-08

(3) (3)

Revenue Secretariat. | Mmz File No. 429 of 1908

Serial No.

Appellant and (his Begaru) Kope Srinivasaniengar entered into an arrangement whereby the latter undertook to act for the former and to pay him a portion of the emoluments of the office and that the appellant is rightly entitled to the post together with the arrears due to him.

Under Secretary's order dy 24.6.09.

"...Issue notice to both parties for apperance before me on the 15th instant."

AM 30/6/09 Submitted with draft notices by 27/7/09

Issue. 27/7/09

SLS

Notice was under orders issued The Notice on Kope Narasimhachar has been returned duly served. As Srinivasaniengar is reported to be residing in Mysore, the Dy Amldar of French-Rocks reports that the Amldar of the Mysore Taluk has been written to to serve the notice on the party and to submit a report to that effect direct to this office.

AM 14/7/09 Submitted by 14/7/09

(P.T.O)

NOTE.—Contn. sheet.

GPB—50,000—1d 5 08

Revenue Secretariat.

Mrzy File No. 429 of 1908

4 (4)

Serial No.

Under Secretary's note

This is on the whole a simple case. Petr is the Karnavandar of the Vokkaliga Adhikaripet in the Sri Narayanaswamy Temple at Melkote. In 1879 he wanted his name and requested that his son's father-in-law Kopé Srinivasaiya may be appointed to the post as the Karnavandar was old & infirm. (Hag A) This was sanctioned. (Hag B) One Bhashyam Venkatachar claimed the right of discharging the duties of the office during the absence of the Karnavandar and so requested that he should be given the place and not Kopé Srinivasaiya. The matter came up for post as in 1882 it was decided that the alienation of Temple services though not invalid as a right might be allowed in favour of qualified persons when the Dharmakartas have no objection on public grounds and when no rights of other persons interested were affected. The Dharmakartas therefore (in particular No. 909 dd 29/5/1882) was directed to dispose of the Vokkaliga service Post in accordance with these instructions. (Hag C) In accordance with this the original appointment of Kopé Srinivasaiya was confirmed (Hag D)

Some years afterwards the post came back and claimed the office & under a Karar executed by Kopé Srinivasaiya about the time the Karnavandar was appointed his name. Petr was directed to file a regular suit. She filed a suit before the Munsiff

NOTE—Contn. sheet.

GPB—50,000—18 5 06

Serial No.

of Srirangapatam and obtained a decree which was confirmed by the District Judge. (Flag X)

In accordance with the petn. applied for the office after the lapse of about [illegible] and during the pendency of unfavourably to petr. Petr. then applied to Govt. (Flags E & F)

Both petr. and Counter petr. Affidavit were perused in accordance with Govt. rules issued. Petr. was represented by both V. Narasimhayya and Counter petr. by both N. V. Narasimha Aiyar.

The District Judge's decision being favourable to petr. I asked the N. V. Narasimha Iyer to support his case for his client. He held that the transfer in 1879 was absolute and that transfer Counter petr. could not attack the office - Practically the same thing has been urged in Counter petition. (Flag C)

On behalf of petr. Mr. K. T. Narasimha Iyer urged that the transfer was not absolute as the reference to 2 C 5 & 3 C 22 and to 6 of 8 Vol C in the petn. and in petn. Counter would show, that the transfer was subject to the Karar executed by the Counter petr. father and given effect to by the Civil Court (Flag A) (Flag X)

The petr. Counter appears to be around 80 years an old man who is now living at Melkote. I perused that his book showing must be Cashmir and - Barnard made out in his name, that Counter petr. may be given proper [illegible] as old and taking the balance of pay &c. and more & other endorsements

GPB—50,000—15-5 08

Serial No.

if any. Pet= consented; but contemptors did not consent.

Nil

Submitted to Hon Court.

Abdur Rahman agg

15.7.09

P.S. At the termination of arbitrament in 1899 the Barwas to made out in contempt proceedings one which to be found in the accounts since 1882. Contempt proceedings against the Barwas may be made out in contempt proceedings. An order to worked in the order book to the effect on account of theft in the Zupta Contempt proceedings to this like above Zupta. Books had to be found the Value of the articles had the paid about Rs 20- If pet= is to be to the Office is in that contempt proceedings against the Zupta but for contempt should be had to the former paid to pet=. Pet= has to withdraw proceedings

Abdur Rahman agg

(Hag 9)

(Sd)

Get the records of the Civil Cts in which the agreement relied on by the petr= is filed.

20.7.09

Put up draft &
21/7/1909

Issue
21/8/1909

Res

AV.
24/7/09
Draft submitted
MV
22.7.09
22/7/09

NOTE—Contin. sheet.

GPB—50,000—13.5.05

ue

Mysore File No. 429 of 1908

Serial No. 141

To, The Dist judge and the Officer in charge of the Central records at Mysore

Letter no 310 Dy 3.8:09

Calls for the entire records of O.S no 445 of 1891 on the file of the Munsiff of Srirangapatana relating to Vottu Hooka in Melkote Temple.

From Narasimhachar (Defdt in the case)

Petition Dy 4th August 1909

States that orders were issued from time to time confirming the office in his father's & his name and submits some points for consideration before the issue of Govt orders

The petr states among other things that the civil courts have no jurisdiction in the matter, that the civil courts did not take into consideration the Razinamas ~~tendered~~ rendered in 1879 and that the decree in this case was only for money. He further states that the post has been in the enjoyment of his family for the past 32 years.

From, the Dist judge.

5 Letter no. 390 Dy 4th August 1909

Forwards the records called for

The agreement relied on by the petr is received with the Court reco

✓ Mahazar)

NOTE—Contn. sheet.

GPB—50,000—13.5.08

Serial No.

Its execution has been admitted by the
then Defdt Kope Srinivasiengar, father
of Narasimhachar, as observed by the
(Pleg 4) Munsiff of Srirangapatam. The Plaintiff
Komara Srinivasiengar states in his
(Pleas I) Plaint that he first applied to the
French-Rocks Sub divisional officer
but was asked to take the matter to 909
Civil Courts. The Suit before the
Munsiff was for a declaration of
Plaintiff's right to the office of Vottu
Addika and for the recovery of Rs 30/-
being the arrears of perquisites due
as per Kararq. The Defendant has
filed a written statement disputing
the merits of the case, but has filed
no document in his favor. The Munsiff's
finding was for the Plaintiff

Submitted for orders

AD
12:8:08

Under Section 541 C.P.C.

MG 13/8/08 Plaintiff (appellant) has come for further relief by
way of appeal against the judgment (Exhibit V).

79 The records of the Civil Suit have been received
and Memorandum and Written Statement have been
marked. Certified copies of the Vakalatnama
of the Karar in which it is recited that the proper
of the office is Complainant's father (Plaintiff's)
Grandfather (Exhibit Nos 1 & 2)

1641

13/8/08

NOTE—Contn. sheet.

GPB—50.000—13-5-08

Revenue
tariat.

Mwz File No. 429 of 1908.

Serial No.

The petitioner transferred the office to the opponent not absolutely but with a condition that he should give it up whenever he went back & asked for it. Whether the Civil Ct had jurisdiction or not, the admissions of the defendant there showed the justness of the claim. The ~~to~~ ~~forward~~ shd be made out in the petr's name & the ~~To~~ office given over to him. Issue an order to this effect.

19/8/09

Prothy dmft
20/8/1909

Issued upon 2 Un-contested affts
24/8/1909

Issue
7/9/1909

Dft to Mr

Dft returned to Mr

Submitted with another Dft recovering the Court Fees.

16/9/09

Issue
16/9/09

NOTE—Contn. sheet.

GPB—50,000—13-5-08

Serial No.	
6	From Narasimhachar of Melkot Pet^r No 320 praying that the pet^n of Komara Timmaraiengar may be rejected
7	To The District Judge Mysore No 8746 dy 20/9/1909 returning the records.
8	From The Dt Judge Mysore No 877/269 dy 21 9 1909 acknowledging the receipt of the records.
9	To The D.C. Mysore Dt^o No 772 dy 13. 9. 1909 Directing that the Baraward of Vothu addika of the Sri Narayanaswamy temple should be made out in the name of the pet^r Kumara Timmaraiengar Intimating the above to the pet^r

NOTE—Contn. sheet.

GPB—50,000—12 8 10

COURT FEE

GOVERNMENT OF MYSORE

TWO RUPEES

10

F-429-08-1

[illegible]

By Order.

Muz.3]

GOVT. OF H. H. THE MAHARAJA OF MYSORE.

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM.

No. 1402 ~~Appeal 623-08-2~~

The accompanying Petition No. D 888 dated 15:2:1909 received at this Office from Komara Sivanna of Melkote arranging his claim to Vottu Archaka post of the Sri Narayana Swamy temple at the place, is forwarded, together with its one enclosure, to the Dy. Commr Mysore Dist. for detailed report with records.

By Order,

Secretary,
Muzrai Department

BANGALORE,
15/3/1909

No 1403 dt 24/3/09

Note on the petn

GP —1500—20-10-07

ఈ క్రింది విధంగా తీర్మానించడమైనది.

ఈ తీర్మానం ప్రకారం ఈ క్రింది వివరాలతో ఈ సంఘం నమోదు చేయబడినది.

సంఘం పేరు

సంఘం చిరునామా

సంఘం ఉద్దేశాలు

సంఘం నమోదు తేదీ

సంఘం నమోదు సంఖ్య

సంఘం సభ్యుల సంఖ్య

సంఘం కార్యవర్గ సభ్యుల పేర్లు

సంఘం కార్యవర్గ సభ్యుల చిరునామాలు

సంఘం కార్యవర్గ సభ్యుల ఫోన్ నంబర్లు

సంఘం కార్యవర్గ సభ్యుల ఈమెయిల్ చిరునామాలు

సంఘం కార్యవర్గ సభ్యుల ఫోటోలు

సంఘం కార్యవర్గ సభ్యుల సంతకాలు

సంఘం కార్యవర్గ సభ్యుల వేలిముద్రలు

సంఘం కార్యవర్గ సభ్యుల ఆధార్ నంబర్లు

సంఘం కార్యవర్గ సభ్యుల పాన్ నంబర్లు

సంఘం కార్యవర్గ సభ్యుల బ్యాంక్ ఖాతా వివరాలు

సంఘం కార్యవర్గ సభ్యుల ఇతర వివరాలు

By order,

Secretary

D 1816

1908-09.

Judl 266

Revy 429-08-3

From
Sr. Kantaraj Urs Esq BA
Deputy Commissioner
Mysore District

To
C. S. Balasundram Ly Esq ICS
Secy. to Govt Revenue Branch

Dated 21st June 09.

Despatched 22

Received

General No. 491

No.

Enclosure No 1 file

Submits report on the petition of Komar Tirumalarajaiengar re Vottu Addika Post in Sri Narayana Swamy temple at Melkote.

Refer - [illegible]

Ans

[illegible]

No. 491
Enc. No. 16 to c

OFFICE OF THE Deputy Commissioner
MYSORE DISTRICT,
Dated Mysore Camp 21st June 1909.
22

To
C. S. Balasundaram Iyer Esq., B. A.
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.
Muzrai Branch.

Sir,

Adverting to your official Memorandum No 1402 Muz. 429-08-2 dated 26th March 1909 and subsequent reminder No 2275 Muz 429-08-2 dated 16th June 1909 calling for the submission of a report on the petition of Komara Srinivasa Iyengar of Melkote advancing his claim to Vottu Addika Post in the Sri Narayanaswami Temple at Melkote, I have the honor to submit herewith the vernacular records received with the Sub Divisional officer's Yadast No. 326/1073 dated 11th June 1909

and

and to state as follows:-

2. Komara Singla Char was the ori-
-ginal Barawarddar of the Vottu
Addika post in the Sri Narayanaswa-
-mi temple at Melkote.

3. In 1876 the Baraward was trans-
-ferred to the petitioner's (Komara Singla
Char's son) name. As requested by
the petitioner, Komara Thirunarna
Iyengar, the baraward was made out in
the name of Kope Tirunarna Iyenga-
subsequently at the request of Kope
Tirunarna Iyengar the baraward was
ordered to be made out in the name of
Narasimha Char (Kope Tirunarna
Iyengar's son) on 29th October 1899
under the orders of the then Munzai

Superintendent

Superintendent.

4. In the revision list of 1899 the
barawar stands in the name of Kope
Narasimha Char.

5. On the petition addressed to this
office by Komara Swamanna Dyavar
advancing his claims to the post in
question the records were called for and
after perusal the Sub Divisional officer
of French-Rocks was requested on 10/13 th
July 1908 to give an endorsement to
the petitioner stating that his prayer
cannot be granted.

6. The present appeal to government
is against the above order.

7. Petition No D. 888 / Muz F 429-08 dated
15th February 1909 received with your
official Memorandum under reply is
herewith retransmitted.

I have the honor to be;
Sir,
your most obedient servant
[signature]
For Deputy Commissioner
Mysore district

BA

G.R S. 31]

No. 310

From M-7. 429—08—4

The **Secretary to the Government of His Highnsss the Maharaja of Mysore, Genl. and Rev. Depts.**

To

The District Judge and the Officer in charge of the Central Records at Mysore.

Dated the 3rd August 1909.

Genl. and Rev Secretariat.

Sir,

I am directed to request that the entire records of C. S. No. 445 of 1891 on the file of the Munsiff of Serangapatam relating to the Vottu Addika in Melkote temple may be forwarded at an early date for reference in a case relating to that Office now pending before Government.

I have the honor to be,

S i r,

Your most obedient servant,

Fair Dft.

For Secretary to Government

C. K. M

GPB—8,000—14-3 07

Typed Copy

D 6394

1909-10

From M-wz F. 429-08-5

T.Paramasiva Iyer Esqr,

District Judge, Mysore Division

Mysore.

To

K.S.Chandrasekhara Aiyar Esqr,
B.A.,B.L.,
Secretary to the Government of His Highness The Maharaja of Mysore, General and Revenue Departments, Bangalore.

Dated 6th August 1909.

Despatched 7/8

Received

General No. 390

No. 119

Enclosure No. One Record

Refer Al - Continue note only

9/8/09

Sir,

I have the honour to submit herewith the entire record in O.S. No: 445 of 1891 on the file of the Munsiff of Serangapatam as called for in your letter No: 310/ M.F.429-08 dated 3rd instant.

I have the honour to be,

Sir,

Your most obedient servant

District Judge

D 320

Mrs. F 429-08-6

THE SECOND COUNCILLOR

in charge of the Huzroi Department,

Bangalore.

The humble petition of Narasimhachar, holder of the office of 'Wotta-Addika' in the Sri-Varadarajaswami's Temple at Melkote.

Most respectfully showeth:-

1. That one Komar Tirunarayana Iyengar who held the said office till about the early part of the year 1879 resigned it under a Razinama in favour of this petitioner's father,- Kone Tirunarayana Iyengar. This was recognised by the Huzroi Department and an order No. 23, dated the 29th May 1879 was issued to this petitioner's father by the said Temple authorities to the effect that, in pursuance of the order No. 38 of the Amildar of Attikuppa, the Baraward which stood in the name of the said Komar Tirunarayana Iyengar, was cancelled and was made out in the name of Kone Tirunarayana Iyengar who is this petitioner's father.

2. One Buloka Venkat char, who was doing the duties of the said office as the Gumasta of the original Barawardar, having applied to be appointed to the said office permanently, an order of the same date i.e., No.32 of 29th May 1879, was issued to him from the Temple to the effect that, at the desire of Komar Tirunarayana Iyengar the original Barawardar, the Baraward was made out permanently in the name of this petitioner's father.

An order bearing No. 259 under date 30th June 1882, was issued from the Attikuppa Taluk to the said Temple when the late Mr. Rangacharlu was Dewan. This order confirms the Baraward in the name of this petitioner's father.

4. About the 5th November 18
Temple offices was made by Government, this
on paying a sum of Rs.17-8-0 to Government, appointed
the said office in the place of his father and he has ever
since, been doing the duties of the said office in his own
right.

5. The original Parawarddar Komar Tirunarayana Iyenga seems to have obtained a decree for money against this petitioner's father in O.S. No. 445 of 1891 on the file of the Munsiff of Seringepatam and this decree was satisfied by this petitioner's father so long ago as 22nd November 1896.

6. Upon the strength of this decree the said original Parawarddar has applied to the Huzroi Superintendent for an order directing that he should be appointed to the said office by removing this petitioner. Thereupon the Huzroi Superintendent issued a notice to this petitioner under date 3rd July 1909 calling upon him to appear before him at his office on the 15th July 1909. This petitioner appeared as ordered, ~~and~~ in support of his case. Before orders are passed by the Government, this petitioner begs most humbly that the following points may be kindly taken into consideration :-

a. The Civil Courts have no jurisdiction to decide the question of Baraward in relation to the said office.

b. Most important of all, the Civil Courts which passed the decree against this petitioner's father did not at all take into consideration the Nazinama tendered by the original Parawardadar in 1879.

c. The decree which the Civil Courts could pass and have passed and which has been satisfied is only for money.

d. The original Baraward-dar has not obtained any decree for the said office. Further the money-

decree

which he obtained is quite inoperative now, seeing that it is not only fully satisfied but is also barred by the lapse of more than 12 years.

Thus this petitioner's father and this petitioner have been the successive holders and Baravara-dars of the said office for nearly thirty years past. Moreover, the original Baraward-dar has no right to it under any decree or order in force now, and he is estopped from claiming it by virtue of his Pattinama of the year 1879 in favour of this Petitioner's father and by virtue also of his not having laid any claim to it at the time of the Revision in 1899 by paying the sum of Rs. 17-8-0 which was recovered from this petitioner by the Government while making the Baraward in his name.

For all the foregoing reasons this Petitioner humbly prays that the petition of Komar Tirumalayana Iyengar may be kindly rejected and this petitioner not disturbed in any manner.

3.8.1909 × [illegible]

Petitioner

Dft as per orders

~~File No.~~

Serial No. 28

Diary No. of letter replied to _____

No. 846 encl 1 file
M-7.429-08-7

General and Revenue Secretariat
( )
, *the* 190

To

The District Judge
Mysore Division, -

Date of issue 20th Sept 1909

Signed by Mr. A. S. Dyer

Sir,

I am directed To return herewith the entire record in O.S no 445 of 1891 on the file of the Munsiff of Seirangapatam received with your letter no 390/119 dated 6th August 1909 & request an acknowledgment be etc

for Secretary
16/9/09

over.

SUBJECT.

List of enclosures,

Copied by

Examined by

GPB—10,000—23 5-68

VII/4/24/1909-10. ₰ 618 92

4 29-08-8

From

T.Paramasiva Iyer Esquire, B.A.

District Judge, Mysore Division,

Mysore.

To

K.S.Chandrasekhara Iyer Esquire, B.A., B.L.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

General and Revenue Departments,

Bangalore.

Refer file &c

Dated 21st September 1909.

Despatched —— ₰ ——

Received

General No: 817

No: 269

Enclosure No:

Sir,

I have the honour to acknowledge the receipt of the Records in Original Suit No: 445 of 1891 on the file of the Munsiff of Serenga-patam returned by you with your No: 846/M.F.429-08 dated the 20th Instant.

I have the honour to be,

Sir,

Your most obedient servant,

For District Judge.

Dft as per cis. order

File No. 429-08

Serial No. 9

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, the 190

Date of issue 13th Sept: 1909

Signed by Mr. A. S. Dy. S.

READ.—

Petition rego no D 888 Dy 15th February 1909 from Komara Sirunarasimhagar of melkote appealing against the Dy. Comm's order regarding the Volle Addika Post of the Sri Narayanaswamy temple at melkote.

~~ORDER THEREON.—No.~~

Letter no 491 Dy 21st June 1909 from the Dy. Comm, Mysore Dist, on the subject

Order thereon—No

Petr Sirunarasimhagar was the karavaradar of the Volle Addika post & he

over

SUBJECT

Case No

Narayanaswamy Temple at Melkote. In 1849 he wanted to go to Madras and requested that his son's father-in-law Kope Srinivasiengar might be appointed to the post and the Barawars made out in his name. This was sanctioned. One Bhulokum Venkatachar claimed the right of discharging the duties of the Office during the absence of the Barawardar and so requested that he should be given the place and not Kope Srinivasiengar. The matter came up to Govt and in 1852 it was decided that the alienation of Temple Services though not claimable as a right might be allowed in favor of qualified persons whom the Dy. Commr saw no objection on public grounds and whom no rights of other

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

Some years afterwards the petr came back and claimed the office under a Karar executed in his favor by Kope Srinivasiengar on 1st Decr 1879. Petr was directed to file a regular suit. He filed a Suit before the Munsiff of Srirangapatam and obtained a decree which was confirmed by the District Judge.

In accordance with this, petr applied for the office. After great delay, the matter was disposed of unfavorably to petr. Petr has appealed to Govt

2) Narasimhachar, the son of Kope Srinivasiengar now holds the Vothu Archaka post and urges that the transfer of the office to his father in 1879 was absolute and unconditional and that Civil Courts have no jurisdiction to entertain and decide Suits relating to hereditary offices in Temples.

3) We Govt observe that the petr Kumara Srinivasiengar transferred the Office to the Opposite not absolutely but with the condition that

MGCPE—30,000—3-1-0.

whenever he went back and asked for it - whether the civil court had jurisdiction or not, the admission the defendants there showed the existence of the claim. We grant therefore direct that the karavans of Vellur Addika of the Sri Narayana Swamy Temple should be made out in the petn's. name and the office given over to him.

(Sd.) [illegible] 7/9/[illegible]
Jr Secretary

To,

The Dy. Commr., Mysore Dist.

Revg. record

~~Comptr., Mysore for~~

Noted for [illegible]

792

M-7.429-08

By order,
of
Halfway
Dy. Secretary